

# SENATE BILL REPORT

## SB 5338

---

As Reported By Senate Committee On:  
Transportation, February 20, 2007

**Title:** An act relating to traffic infractions involving rental vehicles.

**Brief Description:** Addressing traffic infractions involving rental vehicles.

**Sponsors:** Senators Kilmer and McCaslin.

**Brief History:**

**Committee Activity:** Transportation: 2/19/07, 2/20/07 [DPS].

---

### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** That Substitute Senate Bill No. 5338 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Marr, Vice Chair; Murray, Vice Chair; Swecker, Ranking Minority Member; Berkey, Clements, Delvin, Eide, Holmquist, Kauffman, Kilmer, Sheldon and Spanel.

**Staff:** Kelly Simpson (786-7403)

**Background:** In the event a traffic infraction is based on a vehicle's identification, and the vehicle's registered owner is a rental car business, the business has 30 days before receiving a notice of infraction to submit to the issuing law enforcement agency either: (1) a sworn statement stating the name and address of the driver or renter of the vehicle when the infraction occurred; or (2) a sworn statement that the business is unable to determine who was driving or renting the vehicle when the infraction occurred. Timely mailing of the statement relieves the business of any liability for the infraction. Alternatively, the rental car business may pay the applicable penalty in lieu of identifying the vehicle operator.

The process for relieving a rental car business of liability for certain traffic violations that occur while the vehicle was being rented does not apply to private parking facilities issuing parking infractions.

**Summary of Bill:** The bill as referred to committee not considered.

**SUMMARY OF RECOMMENDED SUBSTITUTE AS PASSED COMMITTEE (Transportation):** A process is established for relieving a rental car business of liability for certain parking infractions at private parking facilities that occur while the vehicle was being

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

rented. The process is identical to the one available for infractions issued by law enforcement agencies.

Language is clarified requiring that when a rental car business claims that the business is unable to determine who was driving or renting the vehicle when the infraction occurred, the business must submit a filed police report indicating the vehicle was stolen.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This bill helps to conform with legislation enacted last year regarding public law enforcement agencies issuing traffic infractions to rental car businesses. It will allow rental car businesses the same opportunity to be relieved of liability for parking infractions issued by private parking facilities available under current law when the infractions are issued by public law enforcement agencies.

**Persons Testifying:** PRO: Senator Kilmer, prime sponsor; Gordon Walgren, Car and Truck Renting and Leasing Association.